

## Council Meeting – December 15, 2020

Subject: OPNPL2019394 and ZNPL2019395 – An application has been received to amend the Official Plan and Zoning By-Law to permit the construction of a new office building and nine (9) residential units within two (2) street townhouse blocks. 1694467 ONTARIO INC. AND OBB PROPERTIES INC. and agent MARY ELDER has put forth the application affecting the lands described as 55 First Avenue and 600 Norfolk Street, in Simcoe.

Report Number: PD 20-68  
 Division: Planning and Development  
 Department: Planning  
 Purpose: For Decision

### Executive Summary:

An Official Plan and Zoning By-Law Amendment application has been received to enable the development of a office building and nine residential units within 2 street townhouse blocks. Each townhouse unit will be on a separate lot.

### Site Features and Land Use:

The subject lands are irregular in shape and approximately 0.573 ha (1.42 acres) in size. The subject lands front on the west side of Norfolk Street North, on the north side of Second Avenue West, with frontage also on East Street and First Avenue West in the northwest quadrant of the Simcoe Urban Area. The lands contain an existing two storey office building. Surrounding the subject lands is a trailer storage yard to the north and single detached dwellings to the east, west and south. In addition to the residential dwellings to the south there is also a warehouse.



Figure 1: Satellite image of the subject lands (1964-2015).

**Discussion:**

At the Public Hearing (October 6, 2020) questions were raised by Council in regards to a retaining wall and the time of year in which the traffic study was completed for this application.

At the Public Hearing, the agent indicated that there is a retaining wall and it is adjacent to the existing house that fronts onto Second Avenue. The Traffic Study that was completed for this application took place in November of 2019.

There were no other questions or comments received at the Public Hearing in regards to this application.

There are two components to this application; the first is an Official Plan Amendment and the second component is a Zoning By-Law amendment. The purpose of these applications is as follows:

- Norfolk County Official Plan:
  - Amend the Official Plan to change the Commercial Designation to Urban Residential for the north-west portion of the subject lands.
- Norfolk County Zoning By-Law 1-Z-2014:
  - Amend the Zoning By-Law by removing special provision 14.604 from portion of lands also subject to the Official Plan Amendment, and re-zoning those lands R4 and granting relief of 3 metres from the required 6 metres exterior side yard setback to permit a 3 metre exterior side yard.
  - To grant relief of 0.17 metres from the minimum required 11 metre exterior lot frontage for corner lots to permit a minimum lot frontage of 10.83 metres.
  - To grant relief of 0.82 meters from the required 7.5 metre rear yard setback to permit a 6.68 meter rear yard and granting relief of the 1.2 meter minimum interior side yard.
  - To permit an interior side yard of 0 metres for the rear deck on unit 2. Each townhouse unit will be on a separate lot.
  - On the remaining CS zoned portion, granting relief of 1.78 metres from the required 3 meter front yard setback on Second Avenue to permit a 1.22 metre front yard setback;
  - To grant relief of 0.6 metres from the required 3 metre exterior side yard to permit a 2.4 meter exterior side yard and granting relief of Section 4.2.4 by permitting commercial parking a minimum of 1 metre from residentially zoned lands; and

- To reduce the amount of office space useable floor area to 725 square metres.

A consent application was conditionally approved to split the subject lands into two parcels (BNPL2019311). The reason for this Official Plan and Zoning application is, to meet the conditions for the consent application and to address the above listed zoning deficiencies resulting from the severance. The Committee of Adjustment report and the list of conditions for BNPL2019311 has been attached as Appendix C for information purposes.

#### **Circulation Comments:**

The technical comments received from Departments and Agencies are attached within Appendix A and form part of this recommendation report.

#### **Regard For Public Input:**

No public input has been received for this application. Questions raised by Council, have been addressed in this report and were considered as part of the recommendation in this report.

#### **Planning Policy and Zoning Considerations:**

##### **Provincial Policy Statement, 2020**

The Provincial Policy Statement is intended to be read in its entirety, and the relevant policies are to be applied in each situation. Part IV: Vision for Ontario's Land Use Planning System provides the overall context for Ontario's long-term prosperity and social well-being. It states that efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities.

Policy 1.1.3.1 of the PPS states, "Settlement areas shall be the focus of growth and development."

***Planning Comments:*** *The subject lands are located within the Urban Area of Simcoe, which is classified as a settlement area.*

Policy 1.1.3.2 states, "Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) Prepare for the impacts of a changing climate;
- e) Support active transportation

- f) Are transit-supportive, where transit is planned, exists or may be developed and
- g) Are freight-supportive.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”

**Planning Comments:** *The proposed development will intensify and redevelop the subject lands, while also providing housing with higher forms of density (townhomes).*

Policy 1.1.3.3 states, “Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.”

**Planning Comments:** *The proposed development will provide Norfolk County with an alternative housing type beyond single detached dwellings through this proposed intensification and redevelopment project. The subject lands are located near Queensway West (Highway 3) which provides various public transit options.*

Policy 1.1.3.6 states, “New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.”

Policy 1.4.1 states, “To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.”

Policy 1.4.3 states, “Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and which aligns

with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

b) permitting and facilitating:

1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and

2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;

e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

***Planning Comments:*** *The proposed development is located within the Simcoe Urban Area boundary. The proposed townhouse units and office units provide a compact form of development with a mix of uses and densities within the surrounding area.*

The subject application conforms to the general intent of the Provincial Policy Statement, 2020.

### **Norfolk County Official Plan**

The subject lands are currently designated “Commercial” in the Norfolk County Official Plan. The proposed application aims to amend the Commercial designation to Urban Residential for the north-west portion of the property to allow for the construction of the proposed townhouse dwellings.

Section 2.2.3.2 of the Norfolk County Official Plan, outlines policies regarding maintaining and enhancing the rural and small town character of Norfolk County. The following shall be the policy of the County:

- e) Develop land use patterns in the Urban Areas that are compact and efficient.

Section 2.2.4.2 outlines policies regarding maintaining a high quality of life. Section 2.2.4.2 outlines that the following shall be the policy of the County:

- a) Provide for a variety of housing forms. Tenures and levels of affordability through development, redevelopment, intensification and infilling projects.

**Planning Comments:** *The proposed development will allow for the construction of 9 townhouse units.*

Section 2.2.6.2 d) states, “Ensure the responsible use of land by encouraging the redevelopment, intensification and infilling of underutilized land and the efficient use of greenfield lands in Urban Areas.”

Section 2.2.6.2 e) states, “Direct new urban development to Urban Areas and Hamlet Areas, ensuring a compact form, and an appropriate mix of land uses and densities, resulting in the efficient use of land, infrastructure, and public services and facilities.”

**Planning Comments:** *The proposed development aims to redevelop the existing office component on the subject lands, while intensifying the northwest portion of the parcel of land by constructing 9 townhouse units within the Urban Area of Simcoe.*

Section 2.2.6.2 g) states, “Ensure that all new development in Urban Areas occurs on full municipal services, except in areas specifically provided for in this Plan, to ensure the maintenance of healthy communities and the natural environment.”

**Planning Comments:** *The proposed development will be consist of full municipal services (sewer and water).*

Section 5.3 b) states, “The County shall ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs shall be encouraged. The County shall target that 15 percent of all new housing built in Norfolk County be multi-residential dwellings and 15 percent be semi-detached and townhouse dwellings.”

**Planning Comments:** *The proposed development consists of 9 townhouse dwelling units which will benefit the current and future residents of Norfolk County.*

Section 5.3.1 a) and f) outlines policies surrounding residential intensification.

**Planning Comments:** *The proposed development is considered to be an infill development that has been proposed on underutilized land. The proposed development consist of two elements; redeveloping the office on the subject lands and constructing 9 townhouse units on the north-west portion of the subject lands.*

Section 7.7 Urban Residential Designation indicates that this designation applies to the urban areas of the County. The urban areas are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms as well as other neighbourhood amenities.

Section 7.7.1 b) outlines the permitted uses in the Urban Residential Designation and states that medium density residential uses shall be permitted including row or block townhouse dwellings.

**Planning Comments:** *The purpose of the Official Plan amendment is to amend the northwest portion of the subject lands to change the Official Plan designation from Commercial to Urban Residential. This will allow for the construction of the 9 townhouse units on the subject lands, while accommodating the Urban Area of Simcoe with attractive neighbourhoods through the implementation of various forms of housing and other neighbourhood amenities.*

Planning staff are of the opinion that the proposed application conforms to the general intent of the Norfolk County Official Plan.

#### **Norfolk County Zoning By-Law 1-Z-2014**

The subject lands are currently zoned “Service Commercial” in the Norfolk County Zoning By-Law 1-Z-2014.

The overall purpose of the Zoning By-Law amendment is to amend special provision 14.604 from the portion of the subject lands, rezone a portion of the lands to Urban Residential Type 4 (R4) and to grant relief from various setback requirements in both the Service Commercial and proposed R4 zones on the subject property.

Currently on the subject lands Special Provision 14.604 applies, which states, “In addition to the uses permitted in the CS Zone, an office, all types, with a total useable floor area of 1,450 square meters shall also be permitted.” The subject application proposes to amend the special provision to reduce the amount of useable floor area for the office space to 725 square metres.

Based on the permitted uses in the CS zone, a Zoning By-Law amendment is required on a portion of the subject lands. The proposed amendment will change a portion of the subject lands that are currently zoned Service Commercial (CS) to Urban Residential Type 4 (R4) zone in order to accommodate the proposed townhomes. Planning staff consider the proposed amendment as appropriate, due to the nature of the existing surrounding residential uses.

The subject application is requesting relief from various setback requirements. They are as follows:

- In the R4 Zone grant relief of 3 metres from the required 6 metres exterior side yard setback to permit a 3 metre exterior side yard;
- To grant relief of 0.82 meters from the required 7.5 metre rear yard setback to permit a 6.68 meter rear yard and granting relief of the 1.2 meter minimum interior side yard to permit an interior side yard of 0 metres for the rear deck on unit 2.
- On the remaining CS zoned portion, granting relief of 1.78 metres from the required 3 meter front yard setback on Second Avenue to permit a 1.22 metre front yard setback;
- To grant relief of 0.6 metres from the required 3 metre exterior side yard to permit a 2.4 meter exterior side yard and granting relief of Section 4.2.4 by permitting commercial parking a minimum of 1 metre from residentially zoned lands.
- To grant relief of 0.17 metres from the minimum required 11 metre exterior lot frontage for corner lots to permit a minimum lot frontage of 10.83 metres.
- To reduce the amount of office space useable floor area to 725 square metres.

The setback relief requested allows the proposed development to be accommodated on the subject lands, which are irregular in nature, while providing screening and sight buffering (fencing) between the office and rear yards of the townhomes. The reduction in the amount of office space useable floor area will allow for the reconstruction of the office building.

Planning staff are of the opinion that the subject application conforms to the general intent of the Norfolk County Zoning By-Law 1-Z-2014.

**Consultation(s):**

The Norfolk Planning Advisory Committee (PAC) is responsible for reviewing policy related planning matters. The proposed development application was not circulated to the PAC and therefore no comments regarding this development application are available at this time.

**Strategic Plan Linkage:**

This report aligns with the 2019-2022 Council Strategic Priority "Foster Vibrant, Creative Communities".

Explanation: The proposed redevelopment of the subject lands will provide a diverse and attractive mix of housing options to increase affordability, while also providing offices that can improve the community.



**Recommendation(s):**

THAT the application by 1694467 ONTARIO INC. AND OBB PROPERTIES INC. IKE KEESMAAT AND FRED MORISON affecting lands described as Part Lots 2 and 4, 6 to 7 and 9 to 13, Block 6, Plan 182, Part Lots 3 to 4, 6 and 13, Lot 5, Block 6, Plan 182, Urban Area of Simcoe, Norfolk County to amend the Norfolk County Official Plan and the Norfolk County Zoning By-Law 1-Z-2014, File Number OPNPL2019394 and ZNPL2019395, BE APPROVED, for reasons set out in Report Number PD 20-68.

AND THAT no public input has been received for this application and therefore will not be considered as part of this decision.

**Attachment(s):**

Maps 1 to 4

Appendix A Circulation Comments

Appendix B Planning Justification Report

Appendix C BNPL2019311 Consent Report and Conditions List

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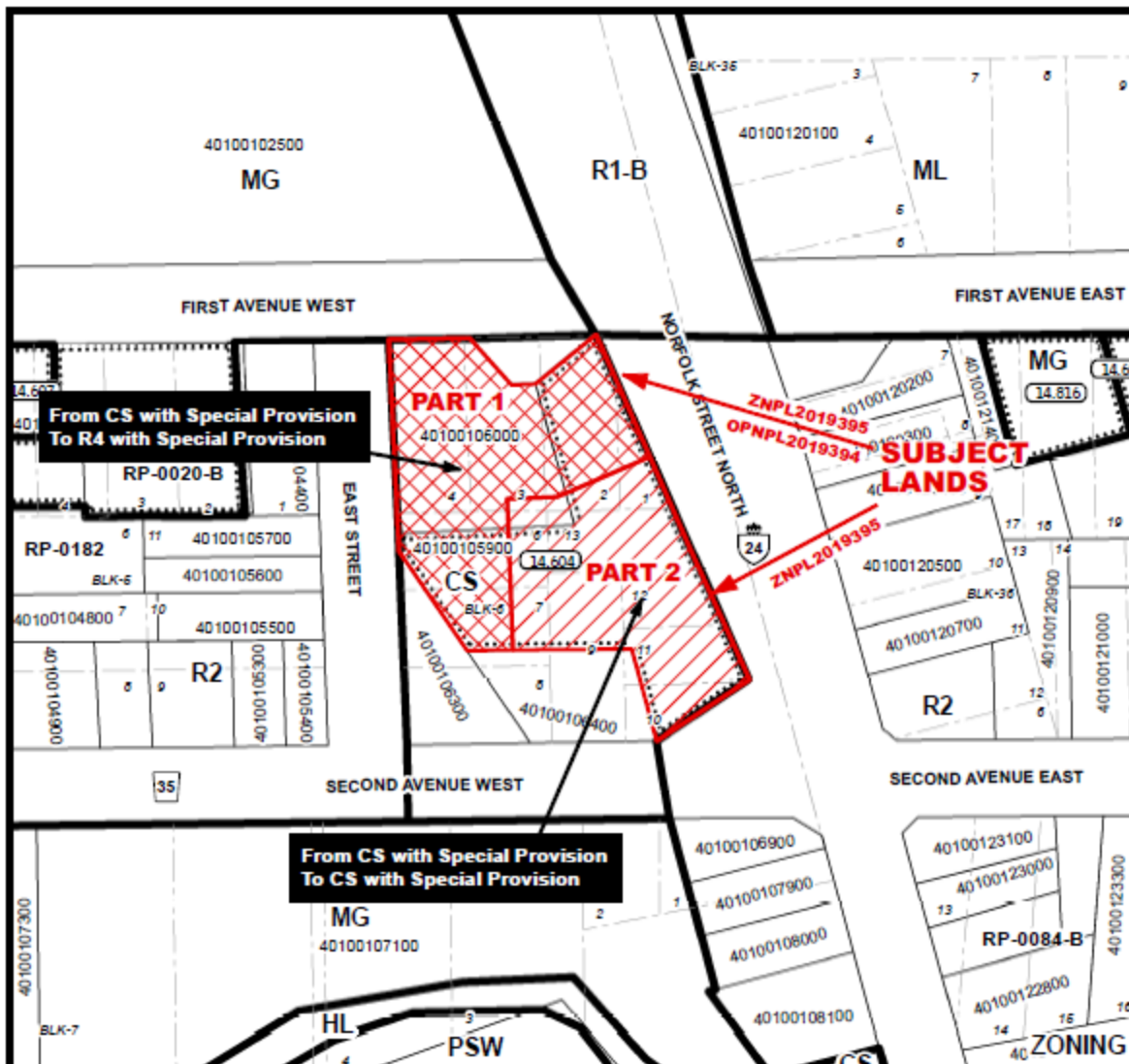
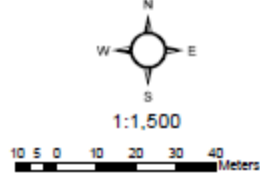
For more information, call:

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# MAP 1

## File Number: OPNPL2019394 & ZNPL2019395

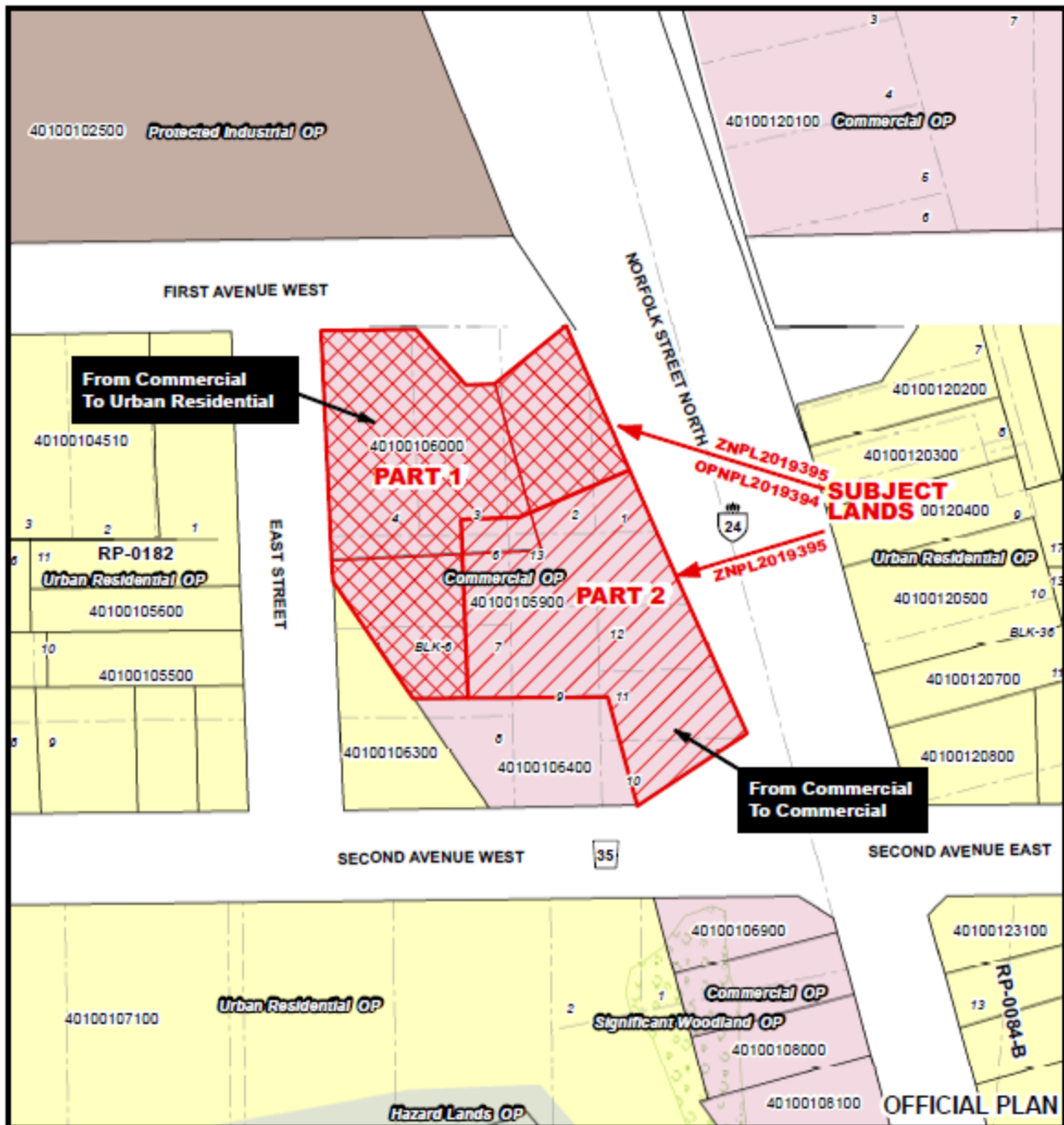
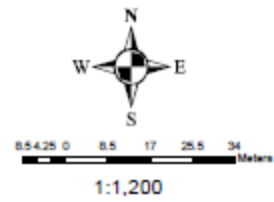
Urban Area of  
**SIMCOE**



# MAP 2

File Number: OPNPL2019394 & ZNPL2019395

Urban Area of SIMCOE



**MAP 3**  
**File Number: OPNPL2019394 & ZNPL2019395**  
**Urban Area of SIMCOE**

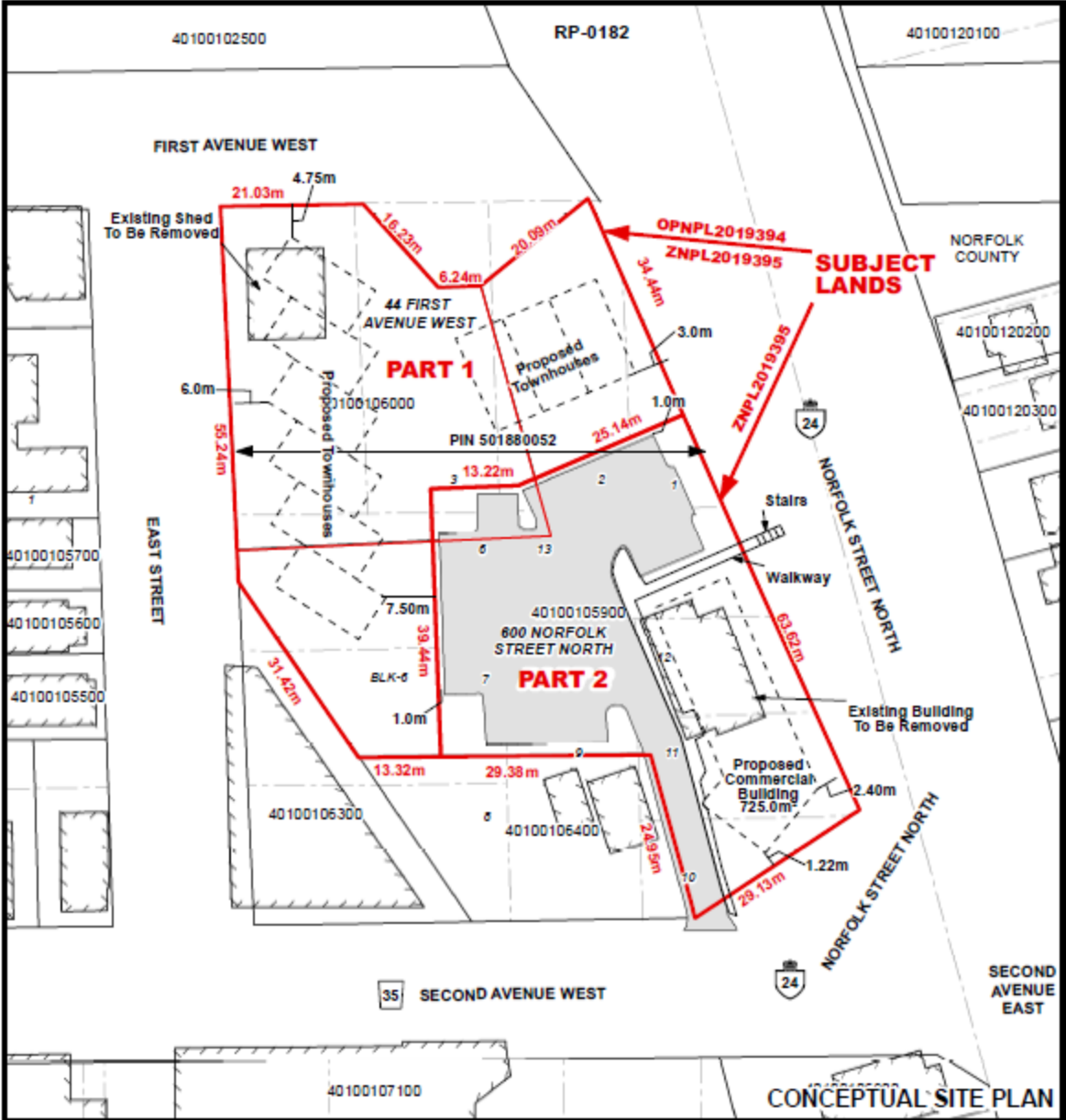


A north arrow is located in the top right corner of the map frame, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left. Below the north arrow is a scale bar marked from 0 to 16 meters, with a 1:1,000 scale indicated below the bar.



**MAP 4**  
**File Number: OPNPL2019394 & ZNPL2019395**  
**Urban Area of SIMCOE**

A north arrow is located in the top right corner of the map frame, pointing upwards. Below it is a scale bar marked from 0 to 16 meters, with a scale of 1:800.



## **PD 20-52 OPNPL2019394 and ZNPL2019395 – 600 Norfolk Street North**

### **Appendix A: Circulation Comments**

#### **Financial Services – Reviewed - Comments are as follows:**

This application would have a positive impact on assessment growth and tax revenues. The amount of growth is dependent on the assessment of the properties by the Municipal Property Assessment Corporation (MPAC). Norfolk County would also receive Development Charges as per the most recent Development Charges By-law.

#### **Zoning Administrator – Reviewed – Comments are as follows:**

Agree with all zoning information provided for CS zoned lands, but with no drawings need to ensure that the height of building is max 11m, and that lot coverage does not exceed 35% for that CS zoned area.

For R4 lands; townhouse units

- Front yard is shortest yard, which in this case is Norfolk Street and a 6m setback is required. Only showing 3m.
- Ensure all exterior yards are at 4.75m so all along East street and first ave west.
- If decks are proposed behind townhouses they must be shown on the plans, in which case they would all abut interior lot lines and can be no closer than 1.2m even with steps.
- Visitor parking is required for townhouses, as per bylaw 3 are required, of which one must be wheelchair accessible.
- Ensure that parking spaces in garage are 3.3 x 5.8m of uninterrupted space so no stairs or landings. Ensure that parking spaces on lot are 3.0 x 5.8m

#### **Development Engineering – Reviewed – Comments are as follows:**

1. The Functional Servicing Report ('FSR') is missing detailed calculations regarding fire flows. These calculations will be required in order to complete the Sanitary and Water modelling for this development. An email was sent to the applicant's consultant detailing the required information be submitted on 12/12/2019 and 12/18/2019. Without the modelling, Development Engineering cannot confirm conveyance capacity at this time. Any upgrades to the transmission systems that are required to service this development must be completed by the developer at their sole expense.
2. As per Norfolk County's Servicing Monitoring Report, there is currently adequate capacity available at the Simcoe Water Treatment Facility to support this development.
3. As per Norfolk County's Servicing Monitoring Report, there is currently adequate capacity available at the Simcoe Waste Water Treatment Facility to support this development.
4. Traffic Impact Statement has been reviewed and Development Engineering has no concerns.

**Long Point Region Conservation Authority – Reviewed - Comments are as follows:**

LPRCA staff has reviewed the above noted application and have no objection to the proposed site development. It should be noted that portions of the subject property are regulated by LPRCA and a permit from this office is required prior to development.

LPRCA staff will review the stormwater management memo when it becomes available. It is required that the major overland flow system be shown on the drawings and have no negative flood risk to life, property and the environment.

**Building and By-Law – Reviewed – No comments.**

**Geographic Information Systems – Reviewed – No Comments.**

**Paramedic Services – No comments received.**

**Fire – No comments received.**

**Forestry – No comments received.**

**Health and Social Services – No comments received.**

**Tourism and Economic Development – No comments received.**

## 1.0 Introduction

Elder Plans Inc. has been retained by 1694467 Ontario Inc. (Ike Keesmaat) and OBB Properties Inc. (Fred Morison) to assist in acquiring the planning approvals needed to permit a new office building and 9 residential units in two street townhouses on a 0.573 ha parcel within the Simcoe urban boundary.

The subject lands are located at 600 Norfolk Street North and 44 First Ave West, Simcoe and, in the Norfolk County Official Plan, are designated Commercial. These lands are zoned "Service Commercial (CS)" in the Norfolk County Zoning By-Law 1-Z-2014 with site specific zoning 14.604 permitting an office with a maximum total usable floor area of 1,450 sq metres as an additional use.

This report includes a review of the Provincial Policy Statement 2014, D6 Guidelines, Norfolk County Official Plan and Norfolk County Zoning By-Law 1-Z-2014.

## 2.0 Site description and neighbouring land uses

The subject lands are 0.573 ha (1.42 ac) in size and front on the west side of Norfolk Street North, on the north side of Second Ave West, with frontage also on East Street and First Ave West. Lands on the east side of Norfolk Street North and west side of East Street are utilized for small single detached dwellings. There is also a residence on the north side of Second Ave West, abutting the subject lands. On the south side of Second Ave West and at the corner of Second Ave West and East Street there are warehouses. On the north side of First Ave West, there is a trailer storage yard.

## 3.0 Development Proposal

This subject lands are to be split into two parcels and the site specific zoning 14.604, adjusted to the new lot lines. The size of the permitted office is to be reduced to 725 sq metres usable floor area and relief sought from;

- the 3 m minimum front yard to permit a 1.22 m front yard,
- the 3 m required exterior side yard to permit a 2.4 m exterior side yard
- and required 4.5 m distance of the commercial parking lot from a residential zone to 1.0 m

Along with this the Official Plan is to be amended to designate the north west part of the subject lands for urban residential use. The zoning on that portion is also to be amended to Urban Residential Type 4 (R4). This would enable the building of 9 residential units in the form of a six unit street townhouse and a three unit street townhouse.

- A reduction in the exterior side yard from 6 m to 4.75 m for unit 4 (labeled on the drawing) is also requested.

Twenty eight parking spaces are provided for the office use and two parking spaces for each residential unit. See attached drawings of proposed buildings and parking layout.



4.0 Policy Review

4.1 Provincial Policy Statement (2014)

The Provincial Policy Statement guides land uses planning for the entire province and the policies are to be read in their entirety. Decisions regarding land use planning matters are to be consistent with the Provincial Policy Statement. The following is a review of pertinent polices for this development proposal.

Provincial Policy Statement	Comments
<p>1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p> <p>1.1.3 Settlement Areas</p> <p>1.1.3.1 <i>Settlement areas</i> shall be the focus of growth and development, and their vitality and regeneration shall be promoted.</p> <p>1.1.3.2 Land use patterns within <i>settlement areas</i> shall be based on:</p> <p>a) densities and a mix of land uses which:</p> <ol style="list-style-type: none"> <li>1. efficiently use land and resources;</li> <li>2. are appropriate for, and efficiently use, the <i>infrastructure</i> and <i>public service facilities</i> which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</li> <li>3. minimize negative impacts to air quality and climate change, and promote energy efficiency;</li> <li>4. support <i>active transportation</i>;</li> <li>5. are <i>transit-supportive</i>, where transit is planned, exists or may be developed; and</li> <li>6. are <i>freight-supportive</i>; and</li> </ol> <p>b) a range of uses and opportunities for <i>intensification</i> and <i>redevelopment</i> in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.</p>	<p>This proposal is consistent with Provincial Policy as it contributes to growth within a designated settlement area of the County. The proposal adds to the mix of housing options and utilizes public infrastructure and services within the Simcoe urban area. It is a good opportunity for intensified residential use on underutilized land and redevelopment of an office use.</p>
<p>1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for <i>intensification</i> and <i>redevelopment</i> where this can be accommodated taking into account existing building stock or areas, including <i>brownfield sites</i>, and the availability of suitable existing or planned <i>infrastructure</i> and <i>public service facilities</i> required to accommodate projected needs.</p> <p><i>Intensification</i> and <i>redevelopment</i> shall be directed in accordance with the policies of</p>	<p>The County has identified a Built Boundary on Schedule B of its Official Plan and the subject lands are within that area. In Section 5.3 of the County Official Plan, targets are set for multi unit residential development and infill development. This proposal assists the County in achieving these targets.</p>

<p>Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.</p> <p>1.1.3.4 Appropriate development standards should be promoted which facilitate <i>intensification, redevelopment</i> and compact form, while avoiding or mitigating risks to public health and safety.</p> <p>1.1.3.5 Planning authorities shall establish and implement minimum targets for <i>intensification</i> and <i>redevelopment</i> within built-up areas, based on local conditions. However, where provincial targets are established . . . . .</p>	
<p><b>1.4 Housing</b></p> <p>1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the <i>regional market area</i>, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through <i>residential intensification</i> and <i>redevelopment</i> and, if necessary, lands which are <i>designated and available</i> for residential development; and</p> <p>b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate <i>residential intensification</i> and <i>redevelopment</i>, and land in draft approved and registered plans.</p>	<p>This proposal will, in part, add to the supply of smaller residential units. Although currently designated for Commercial uses, the subject lands are in an area bordered by housing on three sides. The proposed residential lot is underdeveloped as it is mostly vacant land with only one storage building. Amending the Official Plan to designate the north west area of the lot for Urban Residential uses will assist the County in accommodating residential growth for the next ten years. There is servicing capacity available for this proposal.</p>
<p>1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the <i>regional market area</i> by:</p> <p>a) establishing and implementing minimum targets for the provision of housing which is <i>affordable to low and moderate income households. . . . .</i> ;</p> <p>b) permitting and facilitating:</p> <p>1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including <i>special needs</i> requirements; and</p>	<p>According to the Ten Year Housing and Homelessness Plan, there is a definite need for housing for those with low to moderate incomes. The proposed units will be of a smaller size so could be attractive for lower income families or singles. This proposal is a form of residential intensification which will utilize available public infrastructure and services. The land will be efficiently used rather than being under utilized as it has been.</p>

<p>2. all forms of <i>residential intensification</i>, including second units, and <i>redevelopment</i> in accordance with policy 1.1.3.3;                  c) directing the development of new housing towards locations where appropriate levels of <i>infrastructure</i> and <i>public service facilities</i> are or will be available to support current and projected needs;                  d) promoting densities for new housing which efficiently use land, resources, <i>infrastructure</i> and <i>public service facilities</i>, and support the use of <i>active transportation</i> and transit in areas where it exists or is to be developed; and                  e) establishing development standards for <i>residential intensification</i>, <i>redevelopment</i> and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.</p>	
<p><b>1.6.6 Sewage, Water and Stormwater</b>                  1.6.6.1 Planning for <i>sewage and water services</i> shall:                  a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:                  1. <i>municipal sewage services</i> and <i>municipal water services</i>;</p>	<p>According to the Functional Servicing Report prepared by J. H. Cahoon Engineering, there are existing municipal sewage services and municipal water services which can accommodate this proposal.</p>
<p>1.6.6.2 <i>Municipal sewage services</i> and <i>municipal water services</i> are the preferred form of servicing for <i>settlement areas</i>. <i>Intensification</i> and <i>redevelopment</i> within <i>settlement areas</i> on existing <i>municipal sewage services</i> and <i>municipal water services</i> should be promoted, wherever feasible.</p>	<p>See above statement.</p>
<p><b>2.1 Natural Heritage</b>                  2.1.8 <i>Development</i> and <i>site alteration</i> shall not be permitted on <i>adjacent lands</i> to the <i>natural heritage features and areas</i> identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the <i>ecological function</i> of the <i>adjacent lands</i> has been evaluated and it has been demonstrated that there will be no <i>negative impacts</i> on the natural features or on their <i>ecological functions</i>.</p>	<p>Although adjacent lands to Provincially Significant Wetlands according to the Official Plan, the subject lands are separated from the wetlands by a road and a warehouse. No negative impacts on the wetland or its ecological functions are anticipated. County staff have reviewed the situation through Official Plan policy and waived any natural heritage requirements.</p>

In summary, this proposal is consistent with the Provincial Policy Statement 2014.

**4.2 D6 Guidelines - Compatibility between Industrial Facilities**

Guidance on the separation of sensitive land uses such as residential uses and existing industrial uses is set out for municipalities in the D6 Guidelines through the Ministry of Environment and Climate Change. On the north side of First Ave there is an industrial storage yard composed of trailers that have been on site for quite some time. There is little to no change or movement in the last twenty years according to the owner.

D6 Guidelines	Comments
<p>According to the definition in the Guidelines, a Class 1 Industrial Facility is:                      A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.</p>	<p>The current industrial use is a Class I industrial use as this storage use has low-impact, infrequent movements, low probability of emissions. Although the industrial use might change somewhat it is likely limited to Class 1 type uses by the existing residential uses abutting the north boundary of the property and the existing one on the south side of First Ave.</p>
<p>Section 4.3 sets out a minimum separation of 20 m between residential and Class 1 industrial uses.</p>	<p>First Ave is 20 m wide so provides the minimum separation distance. There is an existing residential dwelling at 50 First Ave West (at the corner of East Street) at the same distance as that proposed for this development.</p>

In summary the residential aspect of this proposal meets the set back requirements of Section 4.3 of the D6 Guidelines.

**4.3 Norfolk County Official Plan**

The County Official Plan contains policy to achieve the vision “Norfolk County strives to balance a commitment to the land and emerging opportunities for growth and development.” For urban areas such as Simcoe, intensification and redevelopment utilizing existing infrastructure is encouraged.

Norfolk County Official Plan	Comments
<p><b>2.0 Vision</b>  <b>2.2.3 Maintaining and Enhancing the Rural and Small Town Character</b>  <b>2.2.3.2 Objectives</b>                      e) Develop land use patterns in the Urban</p>	<p>This proposal will assist with increasing the efficiency and compact form of development in the Simcoe Urban Area as it redevelops an underutilized property.</p>

<p>Areas that are compact and efficient.</p>	
<p><b>2.2.4 Maintaining a High Quality of Life</b>  <b>2.2.4.2 Objectives</b>                  a) Provide for a variety of housing forms, tenures and levels of affordability through development, redevelopment, intensification and infilling projects.</p>	<p>Street townhouses will add to the variety of available housing forms, tenures and pricing options.</p>
<p><b>2.2.6 A Well Governed, Well Planned and Sustainable County</b>                  d) Ensure the responsible use of land by encouraging the redevelopment, intensification and infilling of underutilized land and the efficient use of greenfield lands in Urban Areas.                  e) Direct new urban development to Urban Areas and Hamlet Areas, ensuring a compact form, and an appropriate mix of land uses and densities, resulting in the efficient use of land, infrastructure, and public services and facilities.                  f) Reduce conflicts between existing and proposed land uses through buffering, setbacks, landscaping and other measures, as appropriate.                  g) Ensure that all new development in Urban Areas occurs on full municipal services, except in areas specifically provided for in this Plan, to ensure the maintenance of healthy communities and the natural environment.</p>	<p>Infill development within the Simcoe urban area, such as this proposal, contributes to more efficient use of land, infrastructure, and public services and facilities. Appropriate measures such as landscaping, fencing and buffers will be utilized to avoid conflict with neighbouring land uses.</p> <p>Landscaping and fencing is proposed between the existing residence fronting on Second Ave, the proposed street townhouses and also the office use replacement parking lot.</p> <p>Connection to full municipal services is planned.</p>
<p><b>5.3 Housing</b>                  b) The County shall ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs shall be encouraged. The County shall target that 15 percent of all new housing built in Norfolk County be multi-residential dwellings and 15 percent be semi-detached and townhouse dwellings.</p>	<p>A 9 unit residential development in two street townhouses contributes to the Counties' 15 percent target for multi-residential dwellings.</p>
<p><b>5.3.1 Residential Intensification</b>                  The intensification of urban residential development reduces the need to use vacant designated land on the periphery of the Urban Areas. It also reduces the need</p>	<p>As the subject lands are within the built up area defined on Schedule B of the Official Plan, the proposal is residential</p>

<p>for urban expansions encroaching into the Agricultural Area. Urban residential intensification, infilling and redevelopment of existing areas allows for the efficient provision of urban services thereby helping to minimize the costs of providing services while meeting an important component of the County's housing needs.</p> <p>The following shall be the policy of the County:</p> <p>a) Housing shall, in part, be provided through urban residential intensification, which may include any of the following:</p> <ul style="list-style-type: none"> <li>ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods; and/or</li> </ul> <p>b) The County shall target that a minimum 25 percent of its annual residential growth be accommodated through infill, intensification and redevelopment within the existing built-up areas in the Urban Areas with full municipal services. The boundary of the Built-Up areas of . . . . Simcoe . . . . are indicated on Schedule "B" to this Plan and delineates the extent of existing development at the time of the approval of the Official Plan Amendment implementing the Five-Year Review of the Official Plan. Development within the Built-Up Area boundary will be considered as infill development . . . .</p>	<p>intensification and infill development. As such it will contribute to the 25 percent annual residential growth goal for infill, intensification and redevelopment.</p>
<p>5.3.1 f) The County shall consider applications for infill development, intensification and redevelopment of sites and buildings through intensification based on the following criteria:</p> <ul style="list-style-type: none"> <li>i) the development proposal is within an Urban Area, and is appropriately located in the context of the residential intensification study;</li> <li>ii) the existing water and sanitary sewer services can accommodate the additional development;</li> <li>iii) the road network can accommodate the traffic generated;</li> </ul>	<p>In response to the criteria set out in 5.3.1 f)</p> <ul style="list-style-type: none"> <li>i) the subject lands are within the built up area of Simcoe</li> <li>ii) according to the Functional Servicing Report completed by J. H. Cahoon Engineering, there is capacity for this proposal.</li> <li>iii) according to the Traffic Study completed by J. H. Cahoon Engineering, there capacity in the road network to accommodate any increased traffic generated by this proposal.</li> <li>iv) There is a mix of intensities of residential development in this area. The proposal has</li> </ul>

<p>iv) the proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and v) the proposed development is consistent with the policies of the appropriate Land Use Designation associated with the land.</p>	<p>been designed with setbacks and landscaping respectful of the abutting single detached dwellings. Single storey units are proposed. v)The application proposes amending part of the Commercial designation to Urban Residential. Infill development is targeted in the Urban Residential policies and this proposal is consistent with them.</p>
<p>5.3.1 g) The County shall monitor intensification activity and, through the development approvals and building permitting process, ensure that such proposals can be satisfactorily integrated with the physical characteristics of residential and commercial areas and proper health and safety standards are maintained. Land use compatibility and urban design assessments may be required as a component of the planning rationale report accompanying development applications, as outlined under Section 9.6.1 (Official Plan Amendments) of this Plan.</p>	<p>Other than the requirements outlined in 9.6.1, the County has not requested any additional land use compatibility and urban design assessments.</p>
<p><b>5.4 Community Design</b> c) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffering shall be provided between any uses where land use conflicts might be expected, and such buffering may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also be appropriate buffering measures, but not in replacement of appropriate plantings.</p>	<p>The office is proposed to be set into the required minimum exterior side yard to maximize visibility on Norfolk Street North and have as much distance as possible is between the office building and the abutting single detached dwelling. Solid fencing and retaining walls are proposed to screen the office parking and driveway from this dwelling. Solid fencing is also proposed between the office parking lot and proposed new residential townhouses. The street frontage on East Street and First Avenue will be grassed, with sidewalks and trees according to County standards.</p>
<p><b>6.4 Urban Areas</b> h) Intensification, infill and redevelopment of designated and underutilized sites, and areas in transition in the Urban Areas will be encouraged. . . . . The County shall target 25 percent of its growth in the Urban Areas to be accommodated through infill, intensification and redevelopment.</p>	<p>As the subject lands are within the built up area defined on Schedule B of the Official Plan, and residential intensification and infill development is planned, the proposal should be encouraged. It will contribute to the 25 percent annual residential growth goal for infill, intensification and redevelopment.</p>
<p><b>7.7 Urban Residential Designation</b> The Urban Areas are expected to continue to accommodate attractive neighbourhoods</p>	<p>The development of two street town houses with 9 residential units will provide</p>

<p>which will provide for a variety of residential forms as well as neighbourhood facilities. . . . A variety of housing types are needed to meet the needs of a diverse population</p>	<p>additional variety to the housing types offered in Simcoe.</p>
<p><b>7.7.1 Permitted Uses</b>                  b) Medium density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the policies of Section 7.7.2 (b) (Urban Residential Designation – Land Use Policies).</p>	<p>Nine residential units in two street townhouses (a 6 unit and a 3 unit) are considered to be a type of row townhouse dwellings and medium density residential uses.</p>
<p><b>7.7.2 Land Use Policies</b>                  b) Triplex, fourplex, townhouses, and other medium density housing forms, shall generally have a net density of between 15 and 30 uph, save and except for. . . . New medium density residential development and other uses that are similar in terms of profile, shall meet the following criteria:</p> <p>i) the density, height and character of the development shall have regard to adjacent uses;</p> <p>ii) the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate buffer;</p> <p>iii) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;</p> <p>iv) the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County, save and except for in the Courtland Urban Area, where private septic systems shall be permitted;</p>	<p>7.7.2 b)The net density for 9 units on 0.32 ha works out to 28.12 units per ha.</p> <p>i) Single storey residential units are proposed to be in generally in character with existing neighbourhood residences.</p> <p>ii) Keeping the height to a single storey and breaking the residential units into two townhouses shows regard to the adjacent low density residential area. The existing residential units are part of an older neighbourhood and generally are of a smaller size and this proposal also takes that into account.</p> <p>iii) the proposed residential units will have direct access onto collector roads First Avenue or East Avenue. From there turns can be made onto Second Avenue (an arterial road) and then Norfolk Street North (Highway 24 a connecting link).</p> <p>iv) according to the Functional Servicing Report completed by J. H. Cahoon Engineering, there is capacity for this proposal in the water mains and sanitary sewer systems.</p> <p>v) The Lions park with ball diamonds, a picnic shelter and play ground is located to the north east on Davis Street East. Sutton Conservation area is located to the south</p>



<p>v) the development is adequately serviced by parks and school facilities;</p> <p>vi) in developments incorporating walk-up apartments, block townhouse dwellings and medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required;</p> <p>vii) the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized;</p> <p>viii) except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required from the proponent and approved by the County; and</p> <p>ix) triplexes, fourplexes, freehold street townhouses or other similar small scale developments, may be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.</p>	<p>west. These are the closest parks. Schools are located south of the Queensway on either side of Norfolk Street South, with Simcoe Composite school on the east side of Norfolk Street South. this site is adequately serviced by parks and school facilities.</p> <p>vi) On site recreational facilities are not proposed and were not requested at the pre-consultation.</p> <p>vii) As with the existing commercial building, the setting provides a visual impact which is typical of commercial uses. Landscaping and wooden fences are proposed to buffer both the commercial and residential parts of the proposal. Residential uses are proposed across from the existing residential uses on the west side of East Street.</p> <p>viii) A functional servicing report has been submitted along with this report. The anticipated traffic flows for all aspects of the proposal were considered insignificant by the traffic engineer.</p> <p>ix) it is understood that the commercial aspect of this proposal is subject to site plan control.</p>
<p><b>8.2.2 Hierarchy and Classification of Roads</b></p> <p>d) Development shall only be permitted where frontage and access is to an open and public road that is maintained on a year-round basis, as determined by the County. Any road improvement required to bring a road up to a standard deemed appropriate by the County shall be at the expense of the benefiting landowner(s).</p>	<p>Second Ave, East Street and First Ave are open public roads maintained on a year round basis.</p>

<p><b>8.9.1 Services in Urban Areas</b>                  The following shall be the policy of the County:                  c) All development in the Urban Areas shall be fully serviced by municipal piped water supply and waste water treatment systems, save and except for circumstances outlined in Section 8.9.1 f) (Services in Urban Areas).                  d) In Urban Areas, priority shall be given to the development of land that is presently serviced by water mains and sanitary sewer systems, or those areas that can most easily be serviced, at minimal expense.                  e) Infilling of vacant areas within the Urban Areas which are already provided with full municipal services is encouraged, and shall be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, utilities or the associated construction.</p>	<p>The Functional Servicing Report by J. H. Cahoon Engineering indicates that there is sufficient capacity in the municipal piped water supply and waste water treatment systems. Infilling developments such as this are to be encouraged.</p>
<p><b>8.9.3 Servicing Allocation and Phasing</b>                  b) The timing of development in the Urban Areas shall be managed so that:                  iv) first priority is given to reserving servicing capacity for infilling, intensification and redevelopment.</p>	<p>This proposal is infill development and therefore according to policy should have first priority.</p>
<p><b>8.9.4 Stormwater Management</b>                  d) Prior to the approval of a development application, the County shall require the preparation and approval of a stormwater management plan which either implements the management concept of the Subwatershed Study, if prepared, or is completed in accordance with guidelines of the appropriate Conservation Authority and the current Ministry of the Environment and Climate Change Stormwater Planning and Design Manual. At its sole discretion, the County may, defer these requirements to the detailed design phase, and implement the policies of this Subsection as a condition of development approval.</p>	<p>J. H. Cahoon Engineering has prepared a Storm Water Management plan.                   It is understood based on J. H. Cahoon Engineering staff conversations with Public Works staff that detailed design work will proceed at the detailed design stage.</p>
<p>9.6.1 Applications to amend this Plan shall include a planning rationale report for the proposed change, prepared by the applicant. This shall include, but not be limited to, information regarding the proposed use, servicing, density if</p>	<p>In this planning rationale report, see Section 9.6.1(c) below and submitted site drawings.</p>

<p>applicable, floor area if applicable, lot layout, site plans as appropriate and applicable, and the criteria outlined in Section 9.6.1(c) of this Plan.</p>	
<p>9.6.1 (a) Applications to amend this Plan shall include a planning rationale report for the proposed change, prepared by the applicant. This shall include, but not be limited to, information regarding the proposed use, servicing, density if applicable, floor area if applicable, lot layout, site plans as appropriate and applicable, and the criteria outlined in Section 9.6.1(c) of this Plan. The County, at its sole discretion, may waive the requirement for a planning rationale report for minor and/or site specific amendments.</p>	<p>This planning rationale report covering the required matters addresses this policy.</p>
<p>9.6.1 (b) Any specific Official Plan amendment procedures outlined in the policies of this Plan shall apply to the consideration of the application.</p>	<p>This planning rationale report has attempted to address all of the Official Plan policy that addresses procedures for amendments.</p>
<p>9.6.1 (c) The County shall consider the following criteria when reviewing applications to amend this Plan:</p> <ul style="list-style-type: none"> <li>i) the manner in which the proposed amendment conforms to prevailing Provincial policy and regulations;</li> <li>ii) the manner in which the proposed amendment conforms to the Strategic Plan prepared in support on this Plan;</li> <li>iii) the manner in which the proposed amendment conforms to the Goals and Objectives, and policies of this Plan;</li> <li>iv) the impacts of the proposed amendment on the provision of and demand for municipal services, infrastructure and facilities;</li> <li>v) the adequacy of the proposed servicing solution with respect to the servicing policies of this Plan;</li> <li>vi) the impact of the proposed amendment on surrounding land uses, the transportation system, municipal services and community</li> </ul>	<p>More detailed analysis along with specific policy has been covered above. Brief comments on 9.6.1 (c) are as follow;</p> <ul style="list-style-type: none"> <li>i) the manner in which this proposal conforms to the Provincial Policy has been stated above in the section on the Provincial Policy.</li> <li>ii) and iii) were covered in the first three sections of the Official Plan Policy part of the report. As the County strives to balance the six themes of its strategic plan through its goals and objectives, this proposal assists with three of them (progressive economic development, enhancing the small town character and a well planned and sustainable County).</li> <li>iv) The Functional Servicing Report indicates there is sufficient capacity for this development. The Traffic Impact Study indicates there will be an insignificant increase in traffic. Garbage and recycling collection needs will increase by nine residential units.</li> </ul>

<p>amenities and services;</p> <p>vii) the impact of the proposed amendment on the community structure and nature of the Urban Areas and/or Hamlet Areas;</p> <p>viii) the impact of the proposed amendment on cultural heritage resources and/or Natural Heritage Features;</p> <p>ix) the impact on agricultural uses and land;</p> <p>x) the impact of the proposed amendment on the financial sustainability of the County; and</p> <p>xi) any other information determined by the County, in consultation with the appropriate agencies, to be relevant and applicable.</p>	<p>v) Municipal servicing is the preferred solutions and is being utilized for this proposal.</p> <p>vi) The amendment will add residential uses mainly fronting on a street with long established residential uses. The proposed residential uses are not anticipated to impact on the Protected Industrial lands to the north. The Traffic Impact Study indicates there will be an insignificant increase in traffic. The current alternate week parking on each side of East Street may be impacted. The Functional Servicing Report indicates there is sufficient capacity for this development.</p> <p>vii) This urban area proposal will enhance the community structure with the additional small scale town houses and a new office building.</p> <p>viii) no impact on cultural heritage resources or Natural Heritage Features is anticipated</p> <p>ix) no impact on agricultural uses or land.</p> <p>x) There should be additional tax revenue from the new commercial building and nine new residential units.</p> <p>xi) the proponents are not aware of any other required information.</p>
<p><b>9.7.1 Environmental Impact Study</b>                  In circumstances where there is a low likelihood of impact on the natural environment, and/or intervening development between the land subject to the planning application and the feature triggering the EIS requirement, the County, in consultation with the appropriate Conservation Authority where required, may waive the requirement for the EIS. The decision to waive an EIS is at the sole discretion of the Director of Planning. The County may consider waiving the requirement for the preparation of an Environmental Impact Study where one or more of the following applies:</p>	<p>Although part of the subject lands are considered adjacent lands to Provincially Significant Wetlands the subject lands are grassed and kept as lawn. There is a road and warehouse development between the PSW and subject lands. As the preparation of an Environmental Impact Study would serve no useful purpose and no negative impacts on the wetland or its ecological functions are anticipated, the County has waived the requirement for an EIS.</p>

<p>d) The site conditions for a development are such that the preparation of an Environmental Impact Study would serve no useful purpose for the protection of natural heritage features in the context of the proposed development.</p>	
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The proposal to redevelop the commercial office use on part of the lands and develop 9 residential units on the underutilized portion of the lot meets Official Plan policy and should be supported.

#### 4.4 Norfolk County Zoning By-Law 1-Z-2014

The Norfolk County Zoning By-law regulates the use of lands, the frontage and depth of a parcel of land, the proportion of land occupied by a building or structure, the erection, use, height, bulk, size, floor area, spacing and location of building and structures, and the provision of parking facilities.

Norfolk County Zoning By-Law	Comments
<p>The site is currently zoned "CS" with site specific zoning provision 14.604 permitting an office building with a maximum total usable floor area of 1,450 sq metres as an additional use.</p>	<p>The CS zone and special provision 14.6.4 is to be retained on the south east portion of the existing property.</p>
<p>In a CS Zone, no building or structure shall be erected or altered except in accordance with the following provisions:</p> <ul style="list-style-type: none"> <li>a) minimum lot frontage: 16.5 metres</li> <li>b) minimum front yard: 3 metres</li> <li>c) minimum exterior side yard: 3 metres</li> <li>d) minimum interior side yard: 3 metres</li> <li>e) minimum rear yard: 9 metres</li> <li>f) . . . . .</li> </ul> <p>Parking Section 4.2.4 d) for commercial or industrial properties, no parking lot shall be located closer than 4.5 metres from any interior lot line abutting a residential Zone;</p> <p>Number of required parking spaces Section 4.9 ff) office - 1 space for every 30 sq m of usable floor area. The currently proposed building is 453.1 sq m so 16 parking spaces are required. According to 4.3.3 only one of these needs to be an accessible parking space. 28 parking spaces, including 2 accessible spaces are proposed.</p>	<p>Exceptions to the provisions are be added to the special provision 14.604</p> <ul style="list-style-type: none"> <li>• the 3 m minimum front yard to permit a 1.22 m front yard,</li> <li>• the 3 m required exterior side yard to permit a 2.4 m exterior side yard</li> <li>• and required 4.5 m distance of the commercial parking lot from a residential zone to 1.0 m (Section 4.2.4 d)</li> </ul> <p>The existing provision for the size of the office building is to be reduced to 725 sq metres usable floor area.</p> <p>The proposed exceptions take advantage of the shape of the lot and visibility from Norfolk Street while providing a driveway and sidewalk entrance from Second Avenue and respecting the close location of the existing dwelling on an abutting lot. More than the required parking spaces are proposed and with the wooden fences the lands being zoned residential should have adequate buffering for their rear yards. Most office uses operate during the day and on weekdays. The existing dwelling fronting on</p>

	Second Avenue is zoned Service Commercial.
R4 zone permits street townhouses and is proposed for a portion of the existing lot.	On the north west portion of the exiting lot an R4 zone is the proper zone for the proposed street townhouses.
In an R4 Zone, no <i>building or structure</i> shall be <i>erected or altered</i> except in accordance with the following provisions for each residential unit in a street townhouse: a) minimum lot area: 156 sq m b) minimum lot <i>frontage</i> : 6.5 m interior lot and 16 m corner lot c) minimum <i>front yard</i> : 6 metres d) minimum <i>exterior side yard</i> : 6 metres e) minimum interior side yard: <i>not applicable</i> f) minimum <i>rear yard</i> : 7.5 metres g) <i>minimum separation between townhouse dwellings</i> : 1.2 metres h) maximum building height: 11 metres	See attached site drawings showing how all of the provisions are met except the following. <ul style="list-style-type: none"> <li>the 6 m required exterior side yard is to be reduced to permit a 4.75 m exterior side yard</li> </ul> A new provision is proposed to address this. This proposal should be supported as First Avenue is a dead end street east of East Street, in front of the proposed three unit street townhouse. Little traffic is anticipated at this corner and with the grade change to Norfolk Street North, no change is anticipated.
R4 zone parking requirements According to 4.9 a) 2 parking spaces are required for each dwelling unit.	Residential parking spaces are proposed in a garage in each unit and in one space in front of the garage to address this. As each dwelling is to be sold separately, there is no condominium and therefore no visitor parking is required.

The proposed zoning amendments should be supported as they are suitable in this situation and facilitate good development of this site. They will implement the proposed Official Plan designation change for the residential portion of the lot.

**5.0 Review Summary**

This proposal is consistent with the Provincial Policy Statement 2014, the D6 Guidelines and the County Official Plan and should be supported.

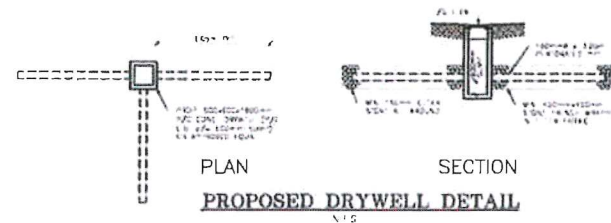
**Respectfully submitted,**



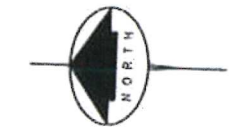
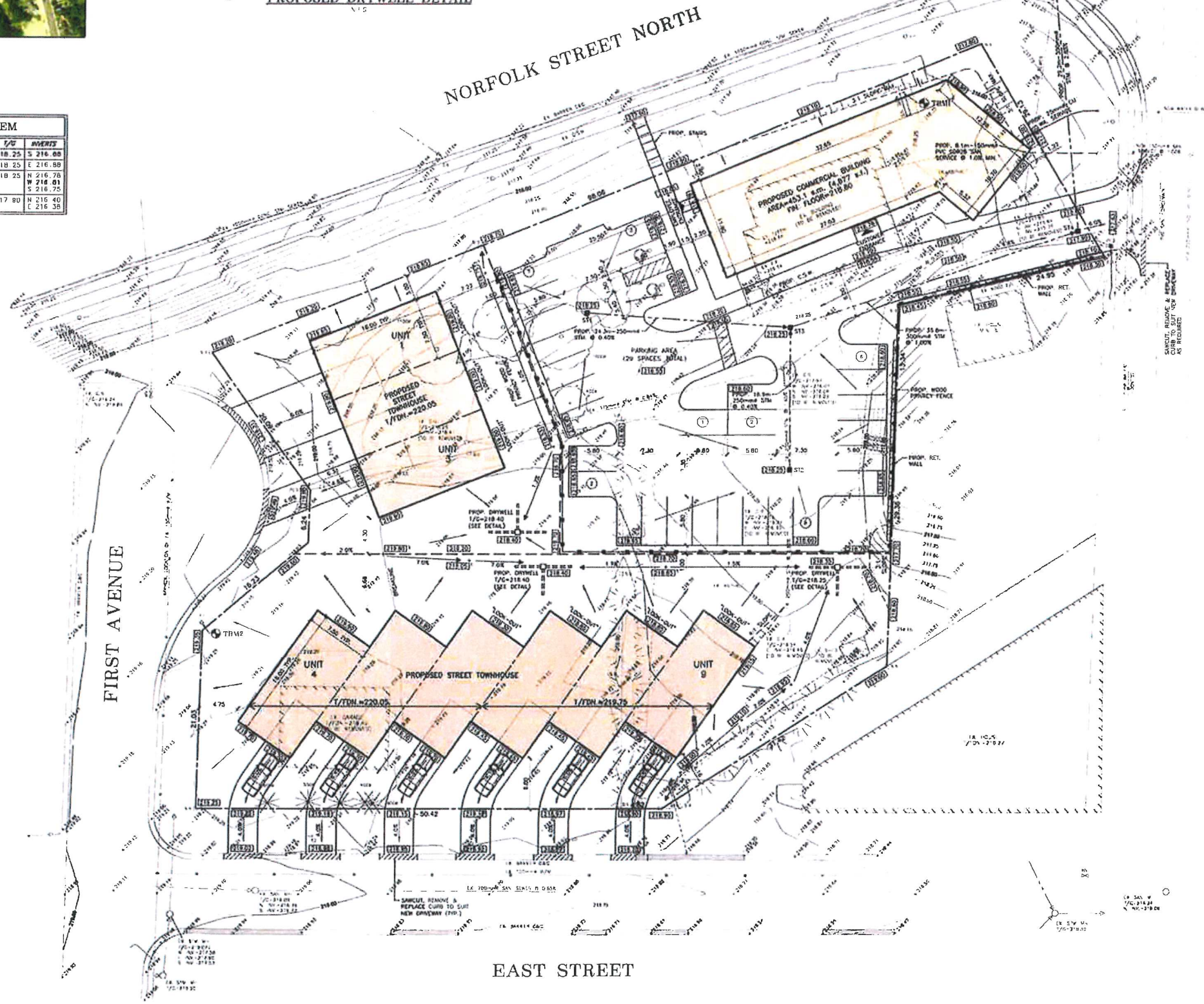
**Mary Elder MCIP RPP**



KEY PLAN



STORM SYSTEM			
INV. No.	DESCRIPTION	I/O	INVERTS
571	0.6x0.6x1.52m P/C CB	218.25	S 218.88
572	0.5x0.6x1.52m P/C CB	218.25	E 216.88
573	0.6x0.6x1.57m P/C CB	218.25	N 216.75 S 216.01
574	0.6x0.6x1.67m P/C CB	217.80	N 216.40 E 216.35



LEGEND:

	EXISTING ELEVATIONS
	PROPOSED ELEVATIONS
	PROPOSED SWALE ELEVATIONS
	PROPOSED SWALE
	GENERAL DRAINAGE

NOTES:  
 1. ALL ELEVATIONS SHOWN ARE METRIC.  
 2. BUILDER/OWNER TO VERIFY COMPLIANCE WITH ZONING BYLAW (i.e. SIDEWALKS, SETBACKS, REARWARDS ETC.)

T.B.M. No. 1 ELEV. = 218.35m (GEO)  
 10' x 10' x 10' CONCRETE BENCH MARK ON CORNER OF 10' x 10' x 10' CONCRETE CURB TO SUIT NEW DRIVEWAY AS REQUIRED

T.B.M. No. 2 ELEV. = 220.11m (GEO)  
 10' x 10' x 10' CONCRETE BENCH MARK ON THE SOUTH SIDE OF FIRST AVENUE AS SHOWN

**J.H. COHOON ENGINEERING LIMITED**  
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 440 HARDY ROAD, UNIT #1, BRANTFORD - ONTARIO, N3T 5J8  
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PROPOSED RESIDENTIAL & COMMERCIAL DEVELOPMENT  
 FIRST & SECOND AVENUE AND EAST STREET  
 SIMCOE - NORFOLK COUNTY

IKI KEESMETT

SITE DEVELOPMENT PLAN

DATE	R.W.P.	SCALE	1:250
DRAWN	K.P.B.	DATE	13475
CHECKED	R.W.P.	SHEET NO.	1 OF 1
DATE	NOV 22/19	PROJECT NO.	13475-1



**COMMITTEE OF ADJUSTMENT  
REPORT REGARDING AN  
APPLICATION FOR CONSENT**

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**FILE NUMBER: BNPL2018311**

**MEETING DATE:** October 16, 2019  
**APPLICANT(S):** 169447 ONTARIO INC. C/O IKE KEESMAAT  
**AGENT(S):** MARY ELDER, ELDER PLANS INC.  
**ROLL NUMBER:** 33104010010590000  
**LOCATION:** PLAN 182 BLK 6 PT LOTS 3, 4, 6, & 13 (600 Norfolk St N, Simcoe)

**PROPOSAL:**

An application has been received to sever a parcel of land having a frontage of 29.31 metres (96 feet), and irregular width, and irregular depth of 63.62 metres (209 feet), and having an area of 2530 square metres (0.63 acres) and retain a 3200 square metre (0.79 acre) parcel as the creation of a new commercial lot in the urban area of Simcoe.

**PLANNING STAFF RECOMMENDATION:**

That Application **BNPL2019311 BE APPROVED, subject to the attached conditions.**

**REASON:** The application is consistent with the Provincial Policy Statement, 2014, and conforms to the consent policies of the Norfolk County Official Plan.

**SITE FEATURES AND LAND USE:** The subject lands are 2530 square metres in size and are located at the corner of Norfolk Street North and Second Avenue West in the urban area of Simcoe. The lands contain an office building, which is proposed to be removed. The lands are currently part of a larger parcel which contains a shed, also proposed to be removed. The larger parcel has frontage along four streets: Second Avenue West, East Street, and First Avenue West, and Norfolk Street North. However, there is a grade separation along Norfolk Street North where the road lowers as it was previously built to underpass a railway bridge. The subject lands are surrounded by primarily commercial and industrial uses to the north and south, and residential uses to the east and west. Properties in this area are zoned Service Commercial, General Industrial and Urban Residential.

**PERTINENT CIRCULATION COMMENTS:**

**Building Inspector** – Reviewed – no comments at this time.

**Fire** – Reviewed – no comments at this time.

**GIS Services** – No requirements.

**Zoning Administrator**- Reviewed no comments

**Engineering (Drainage)** – Reviewed – no comments at this time.



**Hydro One-** Reviewed no concerns

### **Development Engineering -**

Development Engineering has reviewed application **BNPL2019311** and the following comments:

1. As per Norfolk County By-law 2017-04, a lot grading plan will be required at time of building permit application.
2. Municipal services must be installed to the satisfaction of Norfolk County and all applicable permits must be applied for with Public Works. This is to be done at the owner's expense at the time of building permit application.
3. Full Development Engineering comments, specific to the development, will be provided at the time of any future land use planning applications.

### **REGARD FOR PUBLIC INPUT:**

No public input has been received for this application and therefore was not considered as part of the recommendation.

### **PLANNING COMMENTS**

The applicant is proposing this severance in order to facilitate the future development of a new office building and townhomes. The severance is the first step so each party can pursue these separate projects. Future planning applications will be submitted on the severed and retained lots in order to proceed with the planned development.

### **Provincial Policy Statement 2014**

The Provincial Policy Statement (PPS) provides land use planning policy and direction to Ontario municipalities. All land use decisions are to be consistent with the PPS. The PPS is intended to be read in its entirety, with all relevant policies applied in each situation.

Section 1.1.1 states, "Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d. avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
- f. improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;

- g. ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and
- h. promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.”

Section 1.1.3.1 states, “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

Section 1.1.3.3 states, “Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

Section 1.1.3.4 states, “Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

Section 1.3.1 states, “Planning authorities shall promote economic development and competitiveness by:

- a. providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c. encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d. ensuring the necessary infrastructure is provided to support current and projected needs.”

The subject lands are within the settlement area of Simcoe on serviced land in the built-up area. This application is part of an infill development opportunity which will make better use of this currently underutilized parcel along a major transportation corridor. The proposed redeveloped office on the severed lands and the proposed townhomes on the retained lands each contribute to the mix of uses in the Simcoe settlement area, which is supported by the PPS.

The subject application is consistent with the PPS.

### **Norfolk County Official Plan**

The subject lands are designated ‘Commercial’ in the Norfolk County Official Plan. Commercial areas are accessible locations from major roads which offer a range of commercial uses.

Section 7.11.1.a), Commercial Designation – Permitted Uses, states, “The primary permitted uses shall include retail establishments and commercial uses, which are destination oriented or are intended to serve the travelling public, including automobile parking depots, automobile service stations, vehicle sales and service, public garages, repair service and rental establishments, motels, hotels, convention center’s, restaurants, animal hospitals, commercial recreation uses, private clubs, funeral homes, day care centers and similar uses.”

Section 9.6.3.2.c), General Consent to Sever Land Policies, states, “If a plan of subdivision is not deemed necessary, regard shall be had to the other policies within this Plan and to the following criteria when considering an application for consent:

- i) consents shall only be granted when the land fronts onto an existing, assumed public road that is maintained on a year-round basis;
  - *Comment: The severed lands have frontage onto Second Avenue West. The retained lands have frontage onto East Street and First Avenue West. All three streets are assumed and maintained public roads.*
- ii) consents shall have the effect of infilling in existing areas and not extending existing development;
  - *Comment: The proposed severance has an infilling effect and does not extend development.*
- iii) creation of the lot does not compromise the long-term use of the remaining land or retained parcel; and
  - *Comment: The retained parcel remains a sufficient size for future development.*
- iv) consents may be considered for large parcels, where future development of the large parcels is to proceed by plan of subdivision.
  - *Comment: Future development on the retained parcel is anticipated to proceed through Part Lot Control Exemption, which would divide each proposed townhouse unit onto its own separate lot.*

Future planning applications will come forward after the property is severed in order to proceed with the proposed rebuilt office and townhomes. The severance application conforms to the Commercial designation policies and the General Consent to Sever Land policies in the Official Plan.

The subject application conforms to the Official Plan.

### **Norfolk County Zoning By-Law**

The subject lands are zoned 'Service Commercial (CS)' in the Norfolk County Zoning By-Law, with the majority of the severed lot covered by Special Provision 14.604.

Offices are generally not a permitted use in the CS Zone. However, Special Provision 14.604 allows an office, all types, with a total usable floor area of 1,450 square metres in addition to the permitted uses in the CS Zone.

Section 6.3.2 lists the CS Zone provisions. Both the severed and retained lands are corner lots. The minimum corner lot frontage is 16.5 metres and the minimum corner lot area is 495 square metres. Both the severed and retained lands comply with these provisions.

Approval of a Zoning By-Law amendment is a condition on this application in order to adjust the coverage area of Special Provision 14.604 to match the new property lines, and to provide relief of any zoning deficiencies resulting from this severance. Should the proposed office exceed the allowable 1,450 square metre useable floor area, such relief shall be requested at the time of the Zoning By-Law amendment application.

The subject application complies with the Zoning By-Law, subject to the required Zoning By-Law amendment.

### **OTHER INFORMATION**

Endangered and threatened species and their habitat are protected under the provinces Endangered Species Act, 2007 (ESA). The Act prohibits development or site alteration within areas of significant habitat for endangered or threatened species without demonstrating that no negative impacts will occur. The Ministry of Natural Resources (MNR), Aylmer District provides the service of responding to species at risk information requests and project screenings. The applicant has been directed to discuss the proposed activity and have their project screened with MNR.

Please be advised that it is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals.

Please see the Conditions Information Sheet which describes and has contacts for how to clear the conditions of this consent.

**CONCLUSION**

Planning staff consider the subject application to be consistent with the policies of the PPS and conform to the Official Plan. Staff recommend this application be approved, subject to the attached conditions.

Written and Submitted By:

Steve Collyer, BCD

Planner

For more information, call:

519-426-5870 ext. 1824

Reviewed By:

Michael Higgins, MCIP, RPP

Senior Planner

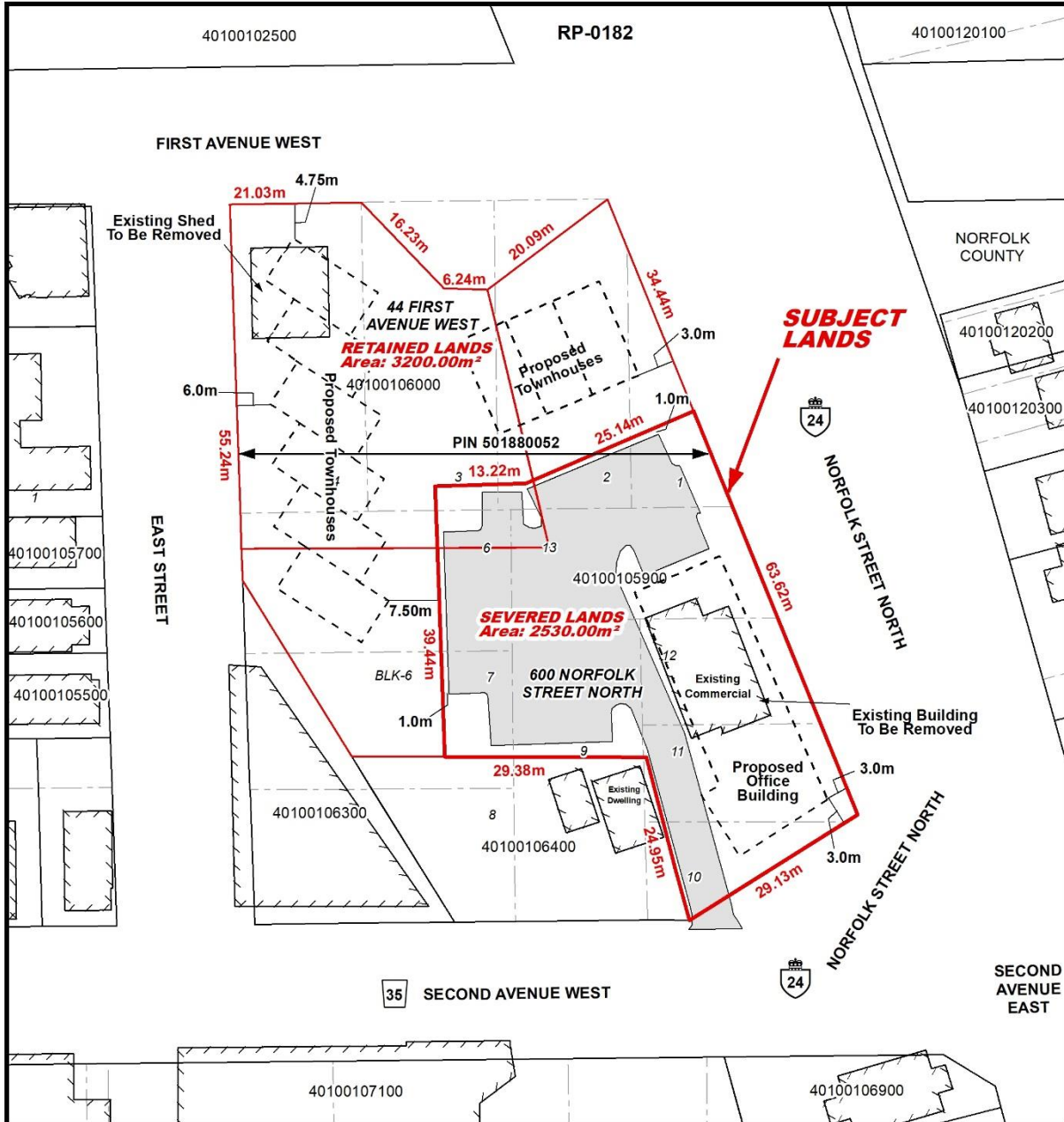
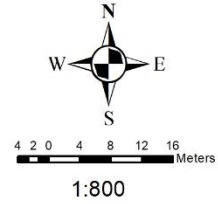
For more information, call:

519-426-5870 ext. 1304

# LOCATION OF LANDS AFFECTED

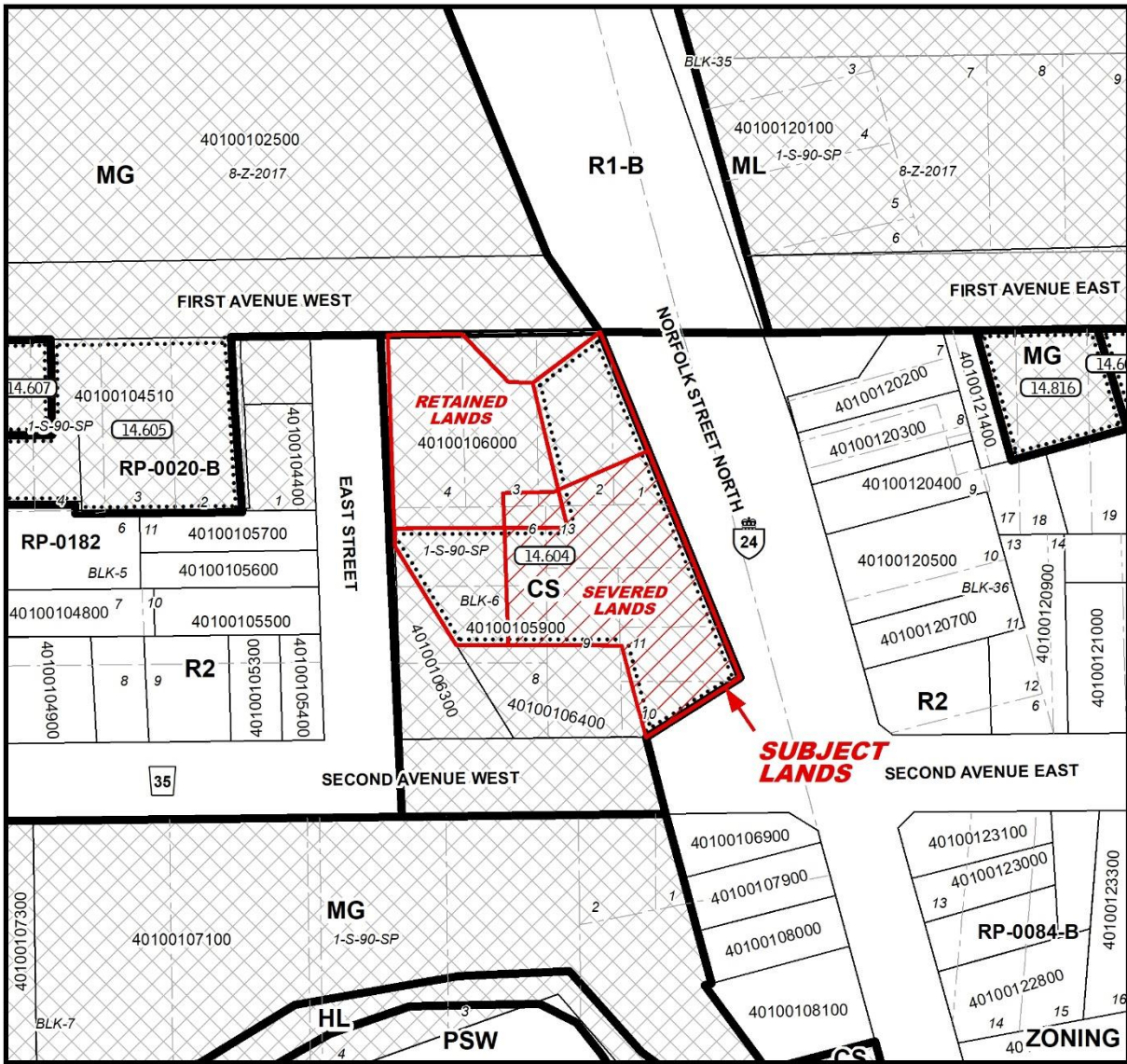
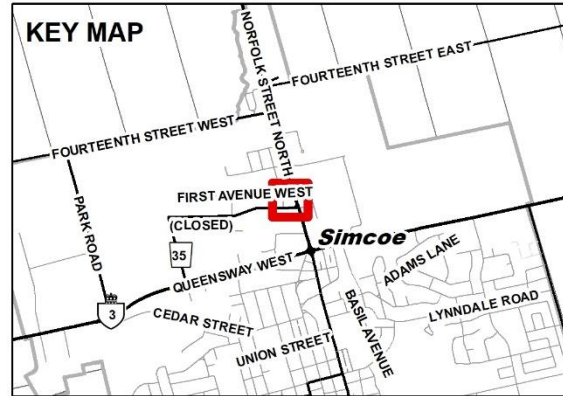
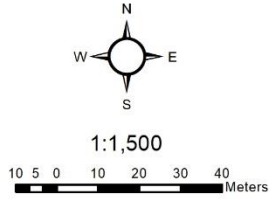
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Urban Area of SIMCOE



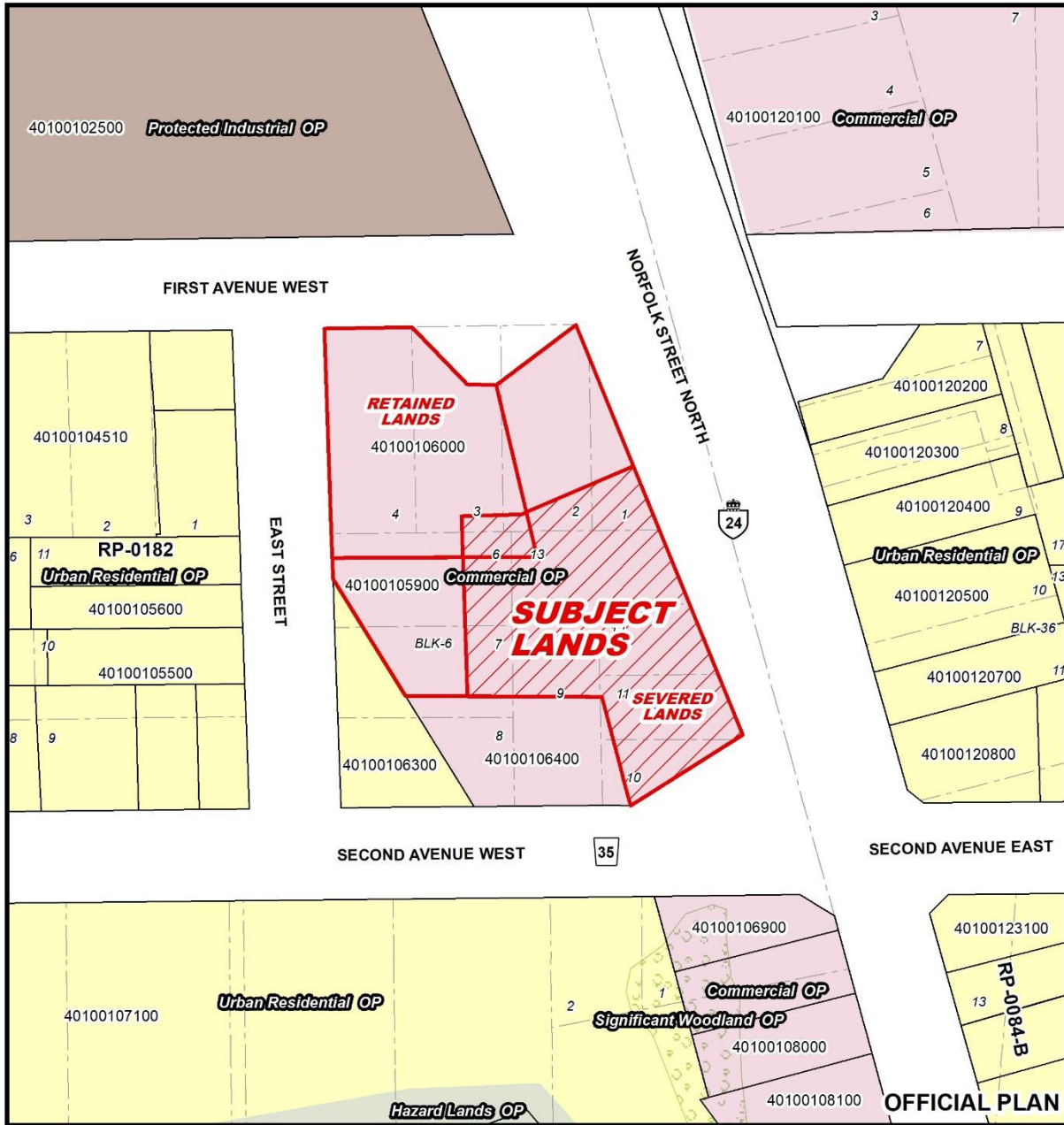
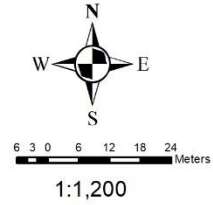
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**MAP 1**  
**File Number: BNPL2019311**  
 Urban Area of  
**SIMCOE**



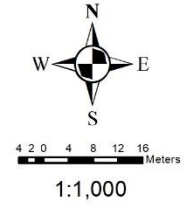
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**MAP 2**  
**File Number: BNPL2019311**  
**Urban Area of SIMCOE**



9/6/2019

**MAP 3**  
**File Number: BNPL2019311**  
**Urban Area of SIMCOE**



9/6/2019



## SUBJECT TO THE FOLLOWING CONDITIONS:

1.  Receipt of a letter from Norfolk County indicating that their requirements, financial or otherwise have been satisfied including:
  - b)  Proof that property taxes are paid and up to date, or payment of any outstanding taxes;
  - c)  Drainage assessment reapportionment be undertaken pursuant to Section 65 of the Drainage Act, R.S.O. 1990 at the applicant's expense (\$\_\_\_\_\_);
2.  Receipt of a letter from the Deputy Chief Building Official, or designate, indicating their requirements regarding on-site sewage treatment (OBC Part 8) have been satisfied. Contact Devon Staley at [devon.staley@norfolkcounty.ca](mailto:devon.staley@norfolkcounty.ca) or ext. 2238 for details.
3.  Receipt of a letter from the Deputy Chief Building Official, or designate, indicating their requirements have been satisfied concerning spatial separation. Contact Devon Staley at [devon.staley@norfolkcounty.ca](mailto:devon.staley@norfolkcounty.ca) or ext. 2238 for details.
4.  Receipt of a letter from Public Works (Roads Department) indicating that their requirements have been satisfied concerning an entrance permit.
5.  Receipt of a letter from Public Works (Environmental Services Department) indicating that water and sewer connections have been installed to the severed and retained parcels.
6.  Receipt of a letter from the Development Engineering Department indicating that the applicant has entered into the necessary agreement regarding a comprehensive grading plan to address surface drainage of the property satisfying Public Works.
7.  That a survey be submitted showing the required front, rear and side yard measurements of all existing buildings on the (severed or retained) parcel in accordance with all zone provisions to the satisfaction of the Development and Cultural Services Department.
8.  Subject to approval of the required Zoning By-Law amendment application to amend the zoning of the severed and retained lands in order to match future property lines, and to address any zoning deficiencies resulting from this severance.
9.  Where the property is registered in Land Titles and where an agreement is required, that the solicitor acting in the transfer provide an undertaking to register the agreement once the deed has been filed and provide Norfolk County with a second original registered copy of said agreement.
10.  Receipt of a letter from the Secretary-Treasurer indicating that the zoning of the retained lands has been amended to meet the requirements of Section 2.3.4.1 (c) of the Provincial Policy Statement.
11.  Receipt of a letter from the Secretary-Treasurer indicating that a new civic address has been assigned to the **severed** parcel.
12.  Receipt of a letter from the Secretary-Treasurer indicating that a new civic address has been assigned to the **retained** parcel.

13.  That a one square foot portion of land presently owned by: \_\_\_\_\_ (assessment roll number \_\_\_\_\_) be conveyed to the abutting road allowance owned by Norfolk County (registered copy of document for conveyance and reference plan required) for the purposes of consolidating the subject lands and that the costs for completing same be at the expense of the applicant.
14.  That the severance subject of this application not be completed prior to the lands identified by assessment roll number \_\_\_\_\_ being transferred to and that evidence of this transaction submitted to the Secretary-Treasurer prior to the issuance of the Certificate of Official.
15.  That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
16.  That the severed parcel becomes part and parcel of the abutting lands presently owned by \_\_\_\_\_ assessment roll number \_\_\_\_\_.
17.  That the solicitor acting in the transfer provides their undertaking in the following manner. "In consideration of the Certificate of Official, I undertake to ensure that at the time of the registration of the said Certificate of Official or deed upon which time it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed".
21.  Receipt of three copies of the registered reference plan for the severed parcel of land from the solicitor acting in the transfer.
22.  Receipt of three copies of the deed for the severed parcel of land, or if filing by electronic registration, receipt of the PIN print-out and three copies of the Transfer in Preparation from the solicitor acting in the transfer.
23.  That the solicitor acting in the transfer provides an undertaking to provide the Secretary-Treasurer with a copy of the first page of the Receipted Transfer upon completion of the electronic registration.
24.  That the above conditions must be fulfilled and the Certificate of Official for consent be issued by the Secretary-Treasurer on or before the lapsing date noted below after which time the consent will lapse.

**LAPSING DATE: October 16, 2020**